

DEPARTMENT OF THE PROSECUTING ATTORNEY 207

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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,)	CIV. NO. 04-00743 DAE-LEK
)	
Plaintiff,)	DECLARATION OF
)	CLYDE HOLOKAI;
vs.)	CERTIFICATE OF
)	SERVICE
CLAYTON FRANK, Director,)	
STATE OF HAWAII, DEPARTMENT)	
OF PUBLIC SAFETY, et al.)	
)	
Respondents.)	
)	

DECLARATION OF CLYDE HOLOKAI

CERTIFICATE OF SERVICE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

TARYN CHRISTIAN,)	CIV. NO. 04-00743 DAE-LEK
)	
Plaintiff,)	DECLARATION OF
)	CLYDE HOLOKAI
vs.)	
)	
CLAYTON FRANK, Director,)	
STATE OF HAWAII, DEPARTMENT)	
OF PUBLIC SAFETY, et al.)	
)	
Respondents.)	
_____)	

DECLARATION OF CLYDE HOLOKAI

I, CLYDE HOLOKAI, do declare as follows:

1. Declarant has been employed with the Maui Police Department since 1993 as a police officer;
2. That on July 14, 1995, at about 03:01 am, Declarant was employed and on-duty as a patrol officer, and was assigned to respond to 15 Kulanihakoi Street in Kihei, Maui, Hawaii, in regards to a possible disorderly conduct in progress, at which the following occurred:
 - a. While en route to the scene, Declarant was notified by dispatch that another caller noted hearing a female screaming at the above-mentioned location and that there had been two parties rolling on the ground, and further, that the responsible had left on foot

headed in the direction of South Kihei Road;

b. At that time, Declarant advised dispatch that Declarant would be making checks in the Azeka Center area;

c. Upon negative results, Declarant arrived at the scene (15 Kulanihakoi Street) and immediately noticed a crowd flagging Declarant down at the first entrance to Halekala Gardens;

d. Upon exiting my vehicle, I noticed a local male (later identified as Vilmar Cabaccang) laying in a supine position on the grassy area fronting first entrance to Halekala Gardens;

e. Cabaccang was conscious, though appeared to have trouble breathing, and Declarant was able to inquire with Cabaccang as to the extent of his injuries;

f. Declarant observed what appeared to be a blood-like substance coming from underneath Cabaccang, and that Cabaccang had some type of orange t-shirt or towel draped over Cabaccang's chest region;

g. During this time, Cabaccang stated in a very weak voice that Cabaccang had gotten stabbed in the back and that Cabaccang did not know who the responsible party had been;

h. In addition, Cabaccang leaned forward on his own accord, in an attempt to show me his injuries, Declarant noticed that Cabaccang had a stab wound on the upper left area of his shoulder and noticed a Phillips style screwdriver laying underneath Cabaccang;

i. Upon evaluating Cabaccang's injuries, Declarant notified dispatch that the case should be reclassified as an attempted murder case, and that MPD's Criminal Investigation Division should be notified;

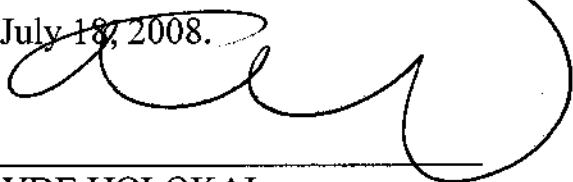
j. Declarant then attempted to ascertain the description as well as the whereabouts of the responsible party wherein the Cabaccang related that: he had no idea who the responsible party was, that the responsible party fled in the direction of South Kihei Road, and that the screwdriver had been used to stab Cabaccang in the back;

k. Declarant was unable to obtain any further statement as Cabaccang lost consciousness;

3. Prior to July 14, 1995, Declarant and Cabaccang were friends.

I DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF

DATED: Wailuku, Hawaii, July 18, 2008.



CLYDE HOLOKAI
Detective - Maui Police Department
County of Maui